

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

IN RE:

**WESTMOUNT GROUP, INC
Debtor**

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§
§
§

**Case No. 21-30633-hcm
(Chapter 7)**

EMERGENCY MOTION TO WITHDRAW AS COUNSEL FOR DEBTOR

TO THE HONORABLE JUDGE OF SAID COURT:

BARRON & NEWBURGER, P.C. hereby files this Emergency to Withdraw as Counsel for Debtor and would show as follows:

1. This case was filed under Chapter 11 on August 23, 2021.
2. The case was converted to Chapter 7 on October 26, 2021.
3. Debtor's principal has blamed counsel for the conversion of its case.
4. Debtor's principal has also testified in a deposition that a prior attorney for Westmount Group, Mr. Carlos Miranda, agreed to a temporary restraining order and temporary injunction because he was friends with James Brewer and was doing a favor for Mr. Brewer.
5. Since the case was converted, the Debtor has failed to review or execute conversion schedules sent to the Debtor.
6. Since the case was converted, the Debtor has failed to execute a new engagement agreement employing counsel for the Chapter 7 proceeding.
7. The Debtor also failed to produce any documents for a Rule 2004 examination.
8. The Debtor requested that counsel file a motion to dismiss the bankruptcy case. Counsel prepared the motion as requested and submitted a declaration drafted by Debtor's principal. The Court has now denied that motion.

9. Under the Legal Services Agreement between Attorney and Client executed in connection with the Chapter 11 case:

Attorney may terminate this engagement under the following circumstances: . . . (b) in the event that Client refuses to honor its obligations under the United States Bankruptcy Code or other applicable law or under this Agreement; (c) in the event that Client refuses to cooperate with Attorney in pursuing the objectives of the representation; . . . (e) if Attorney is required to withdraw under the ethical rules applicable to attorneys; . . . provided, however, that Attorney may not withdraw from an active court proceeding without permission from the Court.

10. Cause exists to withdraw for the reason that:

- a. The attorney-client relationship has irreparably broken down;
- b. The client refuses to cooperate with its attorney; and
- c. The parties do not have a legal services agreement covering the Chapter 7 proceeding.

11. Counsel hereby gives notice to the Debtor that:

- (a) A first meeting of creditors is scheduled for November 30, 2021 at 11:00 a.m.via phone at (866) 909-2905; Code: 5519921#; and

WHEREFORE, PREMISES CONSIDERED, Barron & Newburger, P.C. prays that it be permitted to withdraw as counsel for Debtor.

Respectfully submitted,
BARRON & NEWBURGER, P.C.
7320 N. MoPac Expy., Suite 400
Austin, Texas 78731
Tel: (512) 476-9103 / Fax: (512) 476-9253

By: /s/ Stephen Sather
Stephen W. Sather, SBN 17657520

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served by electronic mail transmission on November 17, 2021, to all parties listed on the Service List attached to the filed copy of this Pleading and electronically by the Court's ECF system to all parties registered to receive such service and to:

Keyvan Parsa at k1p000@gmail.com

/s/Stephen W. Sather
Stephen W. Sather

Label Matrix for local noticing
 0542-3
 Case 21-30633-hcm
 Western District of Texas
 El Paso
 Tue Nov 2 14:27:34 CDT 2021

Westmount Group, Inc.
 810 N. Kansas Street
 El Paso, TX 79902-5207

U.S. BANKRUPTCY COURT
 511 E. San Antonio Ave., Rm. 444
 EL PASO, TX 79901-2417

Albert Flores
 c/o E.P. Bud Kirk
 600 Sunland Park Dr., Ste. 4-400
 El Paso, TX 79912-5134

Albert Flores
 c/o E.P. Bud Kirk
 600 Sunland Park Drive
 Bldg 4, Suite 400
 El Paso, TX 79912-5115

City of El Paso
 c/o Don Stecker
 112 E. Pecan St. Suite 2200
 San Antonio, TX 78205-1588

Fidelity National Title Insurance Co
 c/o Shakira Kelley
 6900 Dallas Parkway, Ste 610
 Plano, TX 75024-7164

Keyvan Parsa
 7604 Plaza Redonda
 El Paso TX 79912-8402

Manny Jemente
 Acala Investments
 6044 Gateway Blvd East
 El Paso TX 79905-2023

Montoya Park Place, Inc.
 810 N. Kansas
 El Paso, TX 79902-5207

Shabnam Izadpanahi
 36 Micmac Crescent
 North York, ON M2H2K2

Techrover, Inc.
 71 Camille
 El Paso, TX 79912-4539

Ulrick Moise
 Palacio de Paquim,
 C. Durango 2047
 32575 Cd Juarez,
 Chih. Mexico

United States Trustee - EP12
 U.S. Trustee's Office
 615 E. Houston, Suite 533
 P.O. Box 1539
 San Antonio, TX 78295-1539

Wells Fargo Business
 PO Box 6995
 Portland OR 97228-6995

WestStar Title, LLC
 c/o Kemp Smith LLP
 Attn: James W. Brewer
 221 N. Kansas, Ste. 1700
 El Paso, Texas 79901-1401

Westmount Assets, Inc.
 810 N. Kansas St.
 El Paso, TX 79902-5207

Weststar Title, LLC
 c/o James W. Brewer
 221 N. Kansas, Ste 1700
 El Paso, TX 79901-1401

Brad W. Odell
 Mullin Hoard & Brown, LLP
 1500 Broadway, Suite 700
 Lubbock, TX 79401-3169

Stephen W. Sather
 Barron & Newburger, PC
 7320 N MoPac Expy, Suite 400
 Austin, TX 78731-2347

End of Label Matrix
 Mailable recipients 19
 Bypassed recipients 0
 Total 19